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# EXHIBIT 1

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18-APR-2002 17:55

PROF. KROCZEK, RKI

S. 02

**BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE**

**INTERNATIONAL FORM**

Robert Koch-Institut  
Nordufer 20  
13353 Berlin

**VIABILITY STATEMENT**  
In accordance with Rule 10.2 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page

<b>A. DEPOSITOR</b>	<b>IDENTIFICATION OF THE MICROORGANISM</b>
Name: Robert Koch-Institut Address: Nordufer 20 13353 Berlin	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:  DSM ACC2539  Date of the deposit of the sample:  2002-04-09
<b>VIABILITY STATEMENT</b>	
The viability of the microorganism identified under II above was tested on 2002-04-09 On that date, the said microorganism was:  <input checked="" type="checkbox"/> <b>Still viable</b> <input type="checkbox"/> <b>Not viable</b>	
<b>III. CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERFORMED</b>	
<b>INTERNATIONAL DEPOSITARY AUTHORITY</b>	
Name: DSMZ DEUTSCHE SAMMLUNG VON MICROORGANISMEN UND ZELLKULTUREN GmbH Address: Beutenbergstr. 11b D-38124 Braunschweig	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):  <i>V. Weis</i>  Date: 2002-04-16

→ Indicate the date of original deposit or, where a sub-deposit or a transfer has been made, the most recent relevant date (date of the new deposit or date of the transfer).  
→ In the space referred to in Rule 10.2(i) (ii) and (iii), enter the most recent viability test.  
→ Mark with a check the applicable box.  
→ Fill in if the information has been requested and if the results of the test were negative.

Form DSMZ-BFG (July 1999) 12/2001

FORM 1 S. 02


**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATE PATENT AND TRADEMARK OFFICE**

**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

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**Expires: June 19, 2003**

  
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Harry I. Moatz  
Director of Enrollment and Discipline